

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARIO E. ORELLANA,

ORDER

09-CV-576 (NGG) (ALC)

Plaintiff,

-against-

WORLD COURIER, INC., MICHAEL
CONNOLLY, KENNY CEDEL, MIKE
SINGH, KROLL, QUEST DIAGNOSTIC,
AARON C. POLK Jr., and WORKPLACE
COMPLIANCE,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

In an Order dated July 29, 2010 (Docket Entry # 65), the court adopted Magistrate Judge Carter's Report & Recommendation ("R&R") (Docket Entry # 60) and granted Kroll's motion to dismiss. On August 11, 2010, Plaintiff filed a Motion for Reconsideration of that order (Docket Entry #66). For the following reasons, Plaintiff's Motion is denied.

Pursuant to Local Rule 6.3, a motion for reconsideration will generally be denied unless the moving party can establish: "(1) that the court overlooked controlling decisions or data; (2) that there has been a change in decisions or data; (2) that there has been a change in controlling law; (3) that new evidence has become available; or (4) that reconsideration is necessary to correct a clear error or prevent manifest injustice." Hughes v. McWilliams, No. 04-CV-7030 (KMW), 2009 WL 2971757, at *1 (S.D.N.Y. Sept. 16, 2009) (citing Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995)). Courts narrowly construe and strictly apply the Rule in order to avoid "repetitive arguments on issues that have already been considered fully by the

court.” Caleb & Co. v. E.I. Du Pont De Nemours & Co., 624 F. Supp. 747, 748 (S.D.N.Y. 1985).

Having reviewed Plaintiff’s Motion and supporting papers, the court finds that the demanding standard for reconsideration has not been met. Although Plaintiff claims that the court overlooked facts and controlling legal authority, the court fully considered Plaintiff’s arguments in reviewing and adopting Judge Carter’s R&R. Moreover, Plaintiff has not identified any clear error or manifest injustice.

Plaintiff’s Motion is DENIED.

SO ORDERED.

Dated: Brooklyn, New York
August ~~2~~5, 2010

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge